

ENTERED

March 29, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISIONPABLO LUCIO VASQUEZ
Petitioner

VS.

WILLIAM STEPHENS, Director,
Texas Department of Criminal Justice
Correctional Institutions Division
Respondent§
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CIVIL ACTION NO. 7:16-CV-115

ORDER ADOPTING REPORT AND RECOMMENDATION

Pending before the Court is Petitioner's action pursuant to 28 U.S.C. § 2254 (Doc. #1), which had been referred to the Magistrate Court for a report and recommendation. Also pending are Petitioner's Motion to Stay Execution (Doc. #3), and objections (Doc. #11). On March 22, 2016, the Magistrate Court issued the Report and Recommendation, recommending that Petitioner's motion to stay execution be denied, and that his claim under 28 U.S.C. § 2254 be denied and dismissed with prejudice.

Pursuant to Federal Rule of Civil Procedure 72(b), after having reviewed Petitioner's objections, the Court has conducted a de novo review of the Report and Recommendation. Finding no clearly erroneous error, the Court adopts the Report and Recommendation in its entirety. Accordingly, it is hereby **ORDERED** that Petitioner's Motion to Stay Execution (Doc. #3) is **DENIED**, Petitioner's 28 U.S.C. § 2254 claim (Doc. #1) is **DENIED** and **DISMISSED** with prejudice, and a Certificate of Appealability is **DENIED**.

SO ORDERED this 29th day of March, 2016, at McAllen, Texas.



Randy Crane
United States District Judge